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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,082	01/28/2004	Marcel Motard	12997-25US RM/JR/as	9803
20988	7590	05/04/2005	EXAMINER	
OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			CRENSHAW, MARVIN P	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/765,082

Applicant(s)

MOTARD, MARCEL

Examiner

Marvin P. Crenshaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3 - 6 and 12 - 19 is/are rejected.
- 7) ☒ Claim(s) 2, 7 - 11 and 20 - 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

Claims 2, 7 – 11 and 20 – 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

With respect to claim 2, the prior art does not teach or render obvious the total combination as claimed including an adjustment system wherein the actuating member includes first and second independently controllable adjustment mechanics wherein the second adjustment mechanism being operable to return the part of the actuating member to the predetermined length to re-engage the rolling element with one of the first and second cylinders, thereby re-establishing the predetermined contact pressure there between without operating the first adjustment mechanism.

With respect to claim 20, the prior art does not teach or render obvious the total combination as claimed including an offset printing press further comprising wherein an impression cylinder is in the predetermined printing position and a second position wherein the impression cylinder is in the disengaged position, whereby the second actuator is operable to selectively interrupt and restart printing without having to readjust the contact pressure.

With respect to claim 22, the prior art does not teach or render obvious the total combination as claimed the offset printing press wherein the adjustment mechanism in which the form roller is in the predetermined printing position, and a second position

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wherein the form roller is in the disengaged position, such as to selectively interrupt and restart printing without having to readjust the contact pressure.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5, 6 and 12 – 18 are rejected under 35 U.S.C. 102(b) as being by Gelinas et al.

Gelinas et al. teaches a printing press (See Abstract), an adjustment system for positioning a rolling element (8) relative to first cylinder (3) having first outer diameter and relative to at least a second cylinder adapted to replace the first cylinder and having second outer diameter different than the first outer diameter, the adjustment system comprising an actuating (12) member operable to displace the rolling element relative to the first cylinder, the actuating member having first and second ends (Fig. 2), the first end being pivotally (See Col. 5, lines 47 – 55) connected to a frame of the printing press and the second end being mechanically linked to the rolling element (Fig. 2), the

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actuating member providing sufficient displacement bring the rolling element into contact with the first cylinder such that predetermined contact pressure there between reached and the actuating member also being operable to bring the rolling element into contact with the second cylinder such that the predetermined contact pressure there between is reached.

With respect to claim 3, Gelinas et al. teaches an adjustment system wherein the rolling element is a form roller (8) and the first and second cylinders are plate cylinders (3), the form roller being adapted to distribute at least one of ink and dampening fluid to the first and second plate cylinders.

With respect to claim 5, Gelinas et al. teaches an adjustment system wherein the actuating member is mechanically linked (Fig. 2) to the rolling element through link member (Fig. 2, bracket link connected to actuator) connected to the second end, the link member rotatably retaining the first roller and being pivotable about a fixed pivot.

With respect to claim 6, Gelinas et al. teaches an adjustment system wherein the rolling element form roller (8) and the fixed pivot is located at central axis of a transfer roller (7b) in continuous contact with the form roller.

With respect to claim 12, Gelinas et al. teaches a method for displacing a rolling element relative to at least a cylinder in a printing press (Fig. 1 and 2), the rolling element being mechanically linked (Fig. 2, bracket link connected to actuator) to an adjustment system (Fig. 1 and 2) composed of first (7) and second (6) independently controllable adjustment mechanisms, the method comprising the steps of setting the first adjustment mechanism (See col. 5, lines 5 - 20) to a predetermined length so that

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a total length of the adjustment system is such that the rolling element is out of in contact with the cylinder and extending (See col. 5, lines 21 – 45) the second adjustment mechanism such as to bring the rolling element in contact with the cylinder until a desired contact pressure there between is reached.

With respect to claim 13, Gelinas et al. teaches a method further comprising locking the second adjustment mechanism once the desired contact pressure is reached (See col. 5, lines 13 – 17).

With respect to claim 14, Gelinas et al. teaches a method comprising retracting the first adjustment mechanism so that the contact between the rolling element and the cylinder is broken (See col. 4, lines 60 – 67).

With respect to claim 15, Gelinas et al. teaches a method wherein after the contact between the rolling element and the cylinder are broken, a step of extending the first adjustment mechanism (See col. 5, lines 5 – 20) to the predetermined length is performed so that the rolling element is brought back in contact with the cylinder with the desired contact pressure there between.

With respect to claim 16, Gelinas et al. teaches an offset printing press including at least first cylinder and rolling element mounted in frame structure in serial contactable engagement (Fig. 2 and 3), the printing press comprising an adjustment mechanism (7) operable to displace the rolling element between a predetermined printing position, wherein the rolling element (8) and the first cylinder (3) are in contacting engagement, and a disengaged position, wherein the rolling element is removed from contacting engagement with the first cylinder, the adjustment mechanism (See col. 5, lines 5 – 20)

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being selectively actuatable and providing controlled variable displacement of the rolling element relative to the first cylinder.

With respect to claim 17, Gelinas et al. teaches an offset printing press wherein the rolling element is an impression cylinder (5) and the first cylinder is a blanket (4) cylinder.

With respect to claim 18, Gelinas et al. teaches an offset printing press wherein the rolling element is a form roller (8) and the first cylinder is a plate cylinder (3), the form roller being adapted to distribute at least one of ink and dampening fluid to the plate cylinder.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gelinas et al. in view of Izawa.

With respect to claim 4 and 19, Gelinas et al. does not teach an adjustment system comprising an actuator for bringing the impression cylinder in and out of contact with a blanket cylinder.

Izawa teaches an offset printing press (Fig. 3) wherein the adjustment mechanism comprises a first actuator (16a, 16b) having a first end engaged with the

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impression cylinder (2) and a second end (Fig. 3, link connected to the frame) engaged to a mounting assembly connected to the frame structure, wherein the first actuator is operable to displace the impression cylinder relative to at least a second cylinder (8) in the offset printing press and to control a contact pressure there between, the first actuator being selectively securable in a given position such that the distance between the first and second ends thereof remains fixed.

It would have been obvious to modify Gelinis et al. to have an adjustment system comprising an actuator for bringing the impression cylinder in and out of contact with a blanket cylinder as taught by Izawa to provide an efficient means for controlling the movement of bringing the impression cylinder in and out of contact with the blanket cylinder.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MPC

April 29, 2005



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